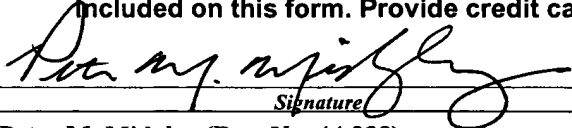
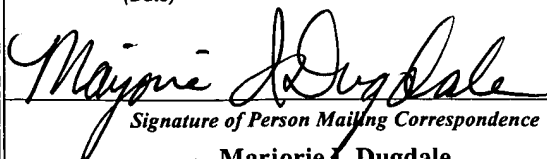
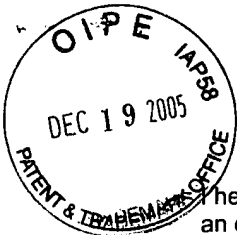


DPW AF

AMENDMENT TRANSMITTAL LETTER (Small Entity)				Docket No. PAKS.102	
Applicant(s): Debord, et al.					
Application No. 10/688,798	Filing Date 10/17/2003	Examiner Hung T. Nguyen	Customer No. 039510	Group Art Unit 2636	Confirmation No. 9700
Invention PERISHABLE PRODUCT ELECTRONIC LABEL INCLUDING TIME AND TEMPERATURE MEASUREMENT					
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	37 -	42 =	0	x \$25.00	\$0.00
INDEP. CLAIMS	3 -	4 =	0	x \$100.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____					
<input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 503030					
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.					
<input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 _____ Signature			Dated: December 15, 2005		
Peter M. Midgley (Reg. No. 44,239) HOLLAND & MIDGLEY, LLP P.O. Box 1840 Boise, ID 83701-1840 (208) 336-1234			<div style="border: 1px solid black; padding: 5px;"><p>I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on December 15, 2006 (Date)</p><p> _____ Signature of Person Mailing Correspondence</p><p>Marjorie I. Dugdale _____ Typed or Printed Name of Person Mailing Correspondence</p></div>		
cc: Client					



I hereby certify that this paper or fee is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
Date of Deposit: December 15, 2005
Typed Name of Person Mailing Paper or Fee: MARJORIE I. DUGDALE

Signature: Marjorie I. Dugdale

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Debord, et al.
Appl. No.	:	10/688,798
Filed	:	October 17, 2003
For	:	PERISHABLE PRODUCT ELECTRONIC LABEL INCLUDING TIME AND TEMPERATURE MEASUREMENT
Examiner	:	Hung T. Nguyen
Group Art Unit	:	2636
Confirmation No.	:	9700

RESPONSE TO FINAL OFFICE ACTION MAILED NOVEMBER 22, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the final Office Action mailed November 22, 2005, Applicants submit the following remarks and respectfully request allowance of the above-identified patent application. Applicants wish to thank the Examiner for the telephonic interview extended to Applicants' counsel of record, Peter M. Midgley, on December 13, 2005. During the interview, the Examiner confirmed that the restriction requirement issued in the Office Action mailed March 9, 2005 has been withdrawn.

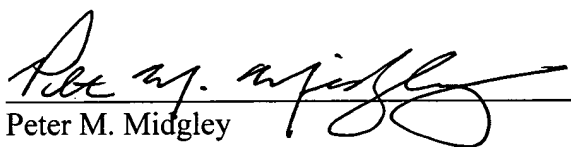
In addition, the Examiner acknowledged that the references cited in the final Office Action fail to disclose, teach or suggest an electronic monitoring and/or timing circuit comprising at least one register configured to tune the frequency of one or more oscillators or time-bases, as required by the claims of the present application. Accordingly, the Examiner agreed to allow the claims if this feature could not be found in the prior art.

In view of the foregoing remarks, Applicants respectfully submit that Claims 1-11, 13-15, 16-25, 27-29, 30-37, 39-41 and 43 are in condition for allowance and notification to that effect is earnestly requested. If necessary, please charge any additional fees or credit overpayments to Deposit Account No. 503030.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (208) 433-1231.

Respectfully submitted.

DATED: December 15, 2005


Peter M. Midgley
Reg. No. 44,239

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